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 UNITED STATES PATENT AND TRADEMARK OFFICE  
 WASHINGTON, D.C. 20231  
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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/855,851	05/16/2001	David F. Sorrells	1744.1260001

26111  
 STERNE, KESSLER, GOLDSTEIN & FOX PLLC  
 1100 NEW YORK AVENUE, N.W., SUITE 600  
 WASHINGTON, DC 20005-3934

CONFIRMATION NO. 9178  
 FORMALITIES LETTER



\*OC000000006497930\*

Date Mailed: 08/30/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

## FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 710 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).*
- Total additional claim fee(s) for this application is \$1820.
  - \$1260 for 70 total claims over 20.
  - \$560 for 7 independent claims over 3 .
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 2660.

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

00000011 09855851  
 10/16/2001 CCBAU1  
 01 FC:101  
 02 FC:103  
 03 FC:102  
 04 FC:105



STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

ATTORNEYS AT LAW

100 NEW YORK AVENUE, N.W. • WASHINGTON, D.C. 20005-3934

PHONE: (202) 371-2600 • FACSIMILE: (202) 371-2540 • www.skfg.com

SECTOR  
#3

ROBERT GREENE  
EDWARD J. KESSLER  
JORGE A. GOLDSTEIN  
SAMUEL L. FOX\*\*\*  
DAVID K.S. CORNWELL  
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TRACY-GENE G. DURKIN  
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\*LIMITED TO MATTERS  
AND PROCEEDINGS BEFORE  
FEDERAL COURTS & AGENCIES  
\*\*REGISTERED PATENT AGENT  
\*\*\*SENIOR COUNSEL

October 16, 2001

**WRITER'S DIRECT NUMBER:**  
(202) 371-2674  
**INTERNET ADDRESS:**  
mlee@skfg.com

Commissioner for Patents  
Washington, D.C. 20231

**Box Missing Parts**

Re: U.S. Non-Provisional Utility Patent Application  
Appl. No. 09/855,851; Filed: May 16, 2001  
For: **Apparatus, System, and Method for Down-Converting  
and Up-Converting Electromagnetic Signals**  
Inventors: Sorrells *et al.*  
Our Ref: 1744.1260001

Sir:

In reply to the "Notice to File Missing Parts of Application--Filing Date Granted," dated August 30, 2001, Applicants submit the following documents for appropriate action by the U.S. Patent and Trademark Office:

1. PTO Fee Transmittal Form PTO/SB/17 (*in duplicate*);
2. Copy of the Notice to File Missing Parts;
3. Original Declaration, executed by the inventors (a four-page document consisting of five sheets);
4. An original, executed Power of Attorney from Assignee;
5. An original, executed Certificate under 37 C.F.R. § 3.73(b) with a copy of the Assignment attached;

Commissioner for Patents  
October 16, 2001  
Page 2

6. Our Check No. 32808 for \$ 2,718.00 to cover:

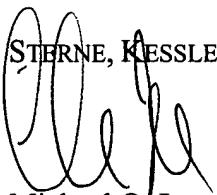
\$ 740.00 Filing Fee for Patent Application (37 C.F.R. § 1.16),  
\$1,260.00 Fee for excess total claims (37 C.F.R. § 1.16),  
\$ 588.00 Fee for excess independent claims (37 C.F.R. § 1.16), and  
\$ 130.00 Surcharge for late filing of Declaration (37 C.F.R. § 1.16); and

7. One return postcard.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036. If extensions of time under 37 C.F.R. § 1.136 other than those otherwise provided for herewith are required to prevent abandonment of the present patent application, then such extensions of time are hereby petitioned, and any fees therefor are hereby authorized to be charged to our Deposit Account No. 19-0036. A duplicate copy of this letter is enclosed.

Respectfully submitted,

  
STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

Michael Q. Lee  
Attorney for Applicants  
Registration No. 35,239

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

OPIE FEE TRANSMITTAL  
for FY 2002

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT

(\$ 2,718.00)

Complete if Known

Application Number	09/855,851
Filing Date	May 16, 2001
First Named Inventor	David F. Sorrells
Examiner Name	(to be assigned)
Group Art Unit	2681
Attorney Docket No.	1744.1260001

## METHOD OF PAYMENT (check one)

1.  The Commissioner is hereby authorized to charge indicated fees and credit any overpayment to:

Deposit Account Number 19-0036  
Deposit Account Name Sterne, Kessler, Goldstein & Fox P.L.L.C.

Charge Any Additional Fee Required  
Under 37 CFR §§ 1.16 and 1.17

Applicant claims small entity status  
See 37 CFR 1.27

2.  Payment Enclosed:

Check  Credit card  Money Order  Other\*  
\*Charge any deficiencies or credit any overpayments in the fees or fee calculations of Parts 1, 2 and 3 below to Deposit Account No. 19-0036.

## FEE CALCULATION

## 1. BASIC FILING FEE

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
101	740	201	370
106	330	206	165
107	510	207	255
108	740	208	370
114	160	214	80
<b>SUBTOTAL (1) (\$ 740.00)</b>			

## 2. EXTRA CLAIM FEES

Extra	Fee from below	Fee Paid
Total Claims 90 - 20** = 70	X \$18.00	= \$1,260.00
Indep. Claims 10 - 3** = 7	X \$84.00	= \$ 588.00
Multiple Dependent		=

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description
103	18	203
102	84	202
104	280	204
108	84	209
110	18	210
<b>SUBTOTAL (2) (\$ 1,848.00)</b>		

\*\* or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

3. ADDITIONAL FEES  
Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee paid
105	130	205	65	Surcharge - late filing fee or oath	\$130.00
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for ex parte reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	400	216	200	Extension for reply within second month	
117	920	217	460	Extension for reply within third month	
118	1,440	218	720	Extension for reply within fourth month	
128	1,960	228	980	Extension for reply within fifth month	
119	320	219	160	Notice of Appeal	
120	320	220	160	Filing a brief in support of an appeal	
121	280	221	140	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,280	241	640	Petition to revive - unintentional	
142	1,280	242	640	Utility issue fee (or reissue)	
143	460	243	230	Design issue fee	
144	620	244	310	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	130	123	130	Petitions related to provisional applications	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	481	40	Recording each patent assignment per property (times number of properties)	
146	740	246	370	Filing a submission after final rejection (37 CFR 1.129(a))	
149	740	249	370	For each additional invention to be examined (37 CFR 1.129(b))	
179	740	279	370	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	

Other fee (specify):

Other fee (specify):

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 130.00)

## SUBMITTED BY

## Complete (if applicable)

Name (Print/Type)	Michael Q. Lee	Registration No. (Attorney/Agent)	35,239	Telephone	202-371-2600
Signature				Date	(11/01)

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.  
SKGF Rev. 10/01/01 mnac

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